

October 7, 2009

VIA HAND DELIVERY

Gregory Zurlo, Chairman
Town of Lexington Planning Board
1625 Massachusetts Avenue
Lexington, Massachusetts 02420

Re: Revisions to the Amended Preliminary Site Development and Use Plan (APSDUP) for
CD-9 District, Cubist Pharmaceuticals, Inc.,
Lexington, Massachusetts

Dear Mr. Chairman:

As you are aware, this office and the undersigned represent Cubist Pharmaceuticals, Inc. ("Cubist or the "Applicant"), with respect to the property located at 45, 55 and 65 Hayden Avenue, Lexington Massachusetts ("Premises"). This letter and enclosed materials are being provided in an effort to address comments from the Planning Board, Board of Selectmen and municipal staff relative to the APSDUP submission.

The following materials and/or responses are being submitted for your consideration:

1. In order to clarify the proposed amendments to the APSDUP, we have provided a clean version and a black-lined comparison of the Original PSDUP and the proposed revisions to the APSDUP Zoning provisions and Appendix A "Permitted Uses" (See Attachments 1A and 1B);
2. As requested, pursuant to conversations with the Planning Department, we have provided an expanded Justification Statement to the Planning Board regarding the proposed CD-9 District zoning provisions (See Attachment 2);
3. As requested by the Planning Department, we have prepared a Comparative Market Analysis, prepared by Cubellis dated October 6, 2009 (See Attachment 3);
4. We have prepared a comparison of Dimensions and setbacks for the proposed APSDUP and pending APSDUP for your review (See Attachment 4).

5. We have provided a summary of the alterations to the Appendix A: Permitted Use Table (See Attachment 5);
6. We have prepared updated conceptual renderings prepared by Olsen Lewis Dioli and Doktor, dated October 2, 2009 titled: "Conceptual Aerial View", "Existing Aerial View", "Conceptual Entry View" and "Existing Entry View" respectively (see Attachment 6);
7. We have provided updated PSDUP Plans (Sheets C1 through C6), prepared by Cubellis, dated October 6, 2009 (see Attachment 7);
8. As recommended by the Planning Board, the Developer has agreed to meet with the Design Advisory Committee in advance of Town Meeting to discuss, in concept, the building plans. Our office has made attempts to contact the chairman of the Design Advisory Committee and is currently awaiting a response.

We would be happy to discuss this matter with you further so please feel free to contact me with any questions.

Very truly yours,



Robert C. Buckley

RCB/blc
Enclosures
03375/18

cc: Carl Valente, Town Manager, Town of Lexington **Via Hand Delivery** (w/enclosures)
Donna Hooper, Town Clerk, Town of Lexington **Via Hand Delivery** (w/enclosures)
Anthony Galatsis, Planning Board, Town of Lexington **Via Hand Delivery** (w/enclosures)
Wendy Manz, Planning Board, Town of Lexington **Via Hand Delivery** (w/enclosures)
Charles Hornig, Planning Board, Town of Lexington **Via Hand Delivery** (w/enclosures)
Richard Canale, Planning Board, Town of Lexington **Via Hand Delivery** (w/enclosures)
Norman Cohen, Chairman, Board of Selectmen **Via Hand Delivery** (w/enclosures)
Susan Yanofsky, Town of Lexington **Via Hand Delivery** (w/enclosures)
John Livsey, Town Engineer, Town of Lexington **Via Hand Delivery** (w/enclosures)
Maryann McCall Taylor, Town of Lexington **Via Hand Delivery** (w/enclosures)
Aaron Henry, Town of Lexington **Via Hand Delivery** (w/enclosures)
Timothy Lee, Design Advisory Committee, Town of Lexington (w/enclosures)
Michael Bonney, Shire Pharmaceuticals Inc., (w/enclosures)
David McGirr, Shire Pharmaceuticals, Inc., (w/enclosures)
Joshua Leichter, Shire Pharmaceuticals Inc., (w/enclosures)
Douglas Hartnett, Cubellis (w/enclosures)
Robert Michaud, MDM Transportation Consultants, Inc. (w/enclosures)
Russell Glen, The Richmond Group (w/enclosures)

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John Connery, Connery and Associates (w/enclosures)
Stephen T. Langer, Esquire, Langer & McLaughlin LLP (w/enclosures)
Christopher J. Good, TA Associates Realty (w/enclosures)
Melissa Cushing, Riemer & Braunstein (w/enclosures)
Ethan Solomon, Riemer & Braunstein (w/enclosures)

Riemer & Braunstein LLP

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